



## CITY OF LEESBURG PLANNING & ZONING DIVISION RECOMMENDATIONS

**PROJECT:** Code of Ordinances Amendments  
**REQUEST:** Amending Chapter 25 Land Development Code  
**CASE NO.:** AMDT-13-141 – Section 25-292(23) Outdoor Sales Display and Storage  
**MEETING DATE:** February 20, 2014

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### THE PLANNING & ZONING DIVISION RECOMMENDS:

APPROVAL of the request

#### **Summary:**

The City Commission has indicated in the past that it would like the City to have the ability to enhance unsightly and disorganized outdoor display of items for sale to improve the visual impact of development and redevelopment of the city's commercial corridors. To that end, staff has developed this section to address these concerns.

Staff recommends the addition of Section 25-292(23) Supplemental District Regulations "*Outdoor Sales Display and Storage*", which defines and regulates both outdoor display and outdoor storage, and adds specific criteria for locating both of these activities. Outdoor display of products is permitted with restrictions on the size and location of such displays to an area within fifteen (15) feet of the building, with an allowance of 500 square feet of display area, between sunup and sundown daily. Outdoor storage of products will require screening with a fence. There are specific exemptions for certain types of businesses that normally require large amounts of outdoor storage, such as vehicle sales and rental, garden and farm equipment and sales under-roof canopy structures. Current operating business with approved site plans are also exempt. If approved, this ordinance will take effect on May 1, 2014.

#### **Action Requested:**

Vote to approve the referenced amendment to the Code of Ordinances Chapter 25 Land Development Code as proposed by staff and forward to the City Commission for consideration.

## ARTICLE IV. ZONING DISTRICT CODE

### CHAPTER 25–292 Supplemental district requirements,

#### (23) Outdoor Sales Display and Storage

**Definitions**, of “Outdoor sales display and storage” shall read as follows:

“**Outdoor storage**” means the storing or maintaining, exterior to any permanent, fully enclosed building or structure of goods, merchandise, inventory, equipment or other tangibles for any purpose other than outdoor sales display as defined in this section. The term outdoor storage shall not include semitrailers, equipment and vehicles in industrial areas.

“**Outdoor sales display**” means the displaying of goods, merchandise or products outdoors such that the items are readily available for sale at retail on the same lot and in conjunction with a permitted or conditional use which is otherwise operated entirely within a permanent fully enclosed building.

The following requirements apply to all Outdoor Display and Storage in all nonresidential zoning districts.

A. **Outdoor Display**. Outdoor Sales Display shall adhere to the following standards:

1. Outdoor Display of merchandise shall not occupy any required parking spaces, landscape area, pedestrian accessibility or fire lane. Items located on a porch of a building are considered to be outside if the porch is not enclosed.
2. Outdoor Display shall not extend into public sidewalk or right-of-way or onto adjacent property and must not extend more than 15 feet outside of the principal structure or within 15 feet of adjacent public streets.
3. The outdoor display area shall not exceed ten (10) percent of the square footage of the principal structure or 500 square feet whichever is less.
4. Outdoor Display shall be displayed in a neat and orderly manner and maintained in a clean, litter-free manner.
5. Outdoor Sales Display merchandise shall not be placed, stored, or maintained outside, except during normal hours of operation of the business but not between sundown and sunup each day.
6. Outdoor Display may not be located on the roof of any structure.
7. All sales of such merchandise shall be consummated indoors, and no cash register or package-wrapping counter shall be located out of doors.
8. The maximum height of merchandise shall not exceed four (4) feet with the exception of vehicles which may not exceed fourteen (14) feet in height.
9. Outdoor Display is not required to be screened.

B. **Outdoor Storage**. Outdoor storage on a temporary or permanent basis shall adhere to the following standards:

1. Outdoor storage areas are allowed for the purpose of storing goods for a nonresidential enterprise. All outdoor storage areas shall meet each required district building setback lines.
  2. The location of outdoor storage areas shall be limited to the side or rear of the primary structure to which the facility belongs and a minimum 4' from the principal building. Items located on a porch of a building are considered to be outside if the porch is not enclosed. At no point should materials be located in front of any portion of the principle building.
  3. A six (6) foot solid fence or wall is required to screen outdoor storage when the property is located adjacent to property zoned more restrictive than the subject site or when located along U.S. 27, SR 441, SR44 and East/West Main Street and visual from the from said corridors. This requirement is in addition to the requirements of Section 25-323-Landscape through Section 25-328 except where there is conflict this provision controls.
  4. Outdoor storage shall be prohibited on the roofs of structures.
  5. The outdoor storage area shall not encroach upon the required off-street parking, pedestrian access, fire lanes and maneuvering areas of the site.
  6. The outdoor storage area is limited to a maximum 5% of the square footage of the principal structure or tenant space, whichever is less, within office, retail and commercial zoning districts.
- C. **Site specific requirements.** Outdoor Sales and Storage can be adjusted through a Conditional Use Permit granted by the Planning Commission that is in keeping with the intent of these provisions and will not adversely affect neighboring property.
- D. **Exemptions.** The following uses are exempt from the requirements set forth in this Section.
1. Areas designated for the outdoor sale, display or storage of monument head stones, plant material including live plants, fruits and vegetables and related plant materials. This exemption includes rock, mulch, pavers, building and landscape materials including bird baths, fountains etc., and lumberyards or new building materials.
  2. Sale, display, or storage areas for automobile and trucks, boat and similar passenger and recreational vehicles, garden and farm equipment, or truck/trailer rentals which have met applicable requirements as set forth in these regulations and all other applicable laws, rules, and regulations.
  3. Retail operations that occur under a permitted permanent roofed canopy structure attached to the principal structure on the lot or per their approved site plan.
- E. **Compliance** with the conditions of this section will become effective on May 1, 2014.